

701—115.6(421,441) Hearing scheduling and discovery plan.

115.6(1) *When required.* For appeals involving properties assessed at \$3 million or more, the parties shall confer and file a hearing scheduling and discovery plan within 60 days of the notice provided in subrule 115.2(5). In any other appeal, the parties may jointly file a hearing scheduling and discovery plan or the board may, on its own motion or the motion of any party, require parties to file a hearing scheduling and discovery plan. The dates established in a hearing scheduling and discovery plan under this rule shall supersede any dates set forth in any other rule in this chapter.

115.6(2) *Prehearing conference.* A party may request a prehearing conference to resolve any disputed issue pertaining to the hearing scheduling and discovery plan.

115.6(3) *Modification.* The parties may jointly agree to modify the plan. If one party seeks to modify the plan, the party must show good cause for the modification.

115.6(4) *Failure to comply.* A party that fails to comply with a plan shall be required to show good cause for failing to comply and that the other party is not substantially prejudiced. Failing to comply with a plan may result in sanctions including, but not limited to, the exclusion of evidence or dismissal of the appeal.

[**ARC 2108C**, IAB 8/19/15, effective 9/23/15; **ARC 2545C**, IAB 5/25/16, effective 6/29/16; **ARC 3430C**, IAB 10/25/17, effective 11/29/17; Editorial change: IAC Supplement 11/2/22; **ARC 6858C**, IAB 2/8/23, effective 3/15/23]